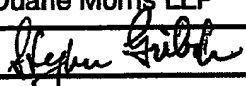


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|                                                                                                    |                      |                        |             |
|----------------------------------------------------------------------------------------------------|----------------------|------------------------|-------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/549,730             |             |
|                                                                                                    | Filing Date          |                        |             |
|                                                                                                    | First Named Inventor | David J. Kyle          |             |
|                                                                                                    | Art Unit             | 1761                   |             |
|                                                                                                    | Examiner Name        | NOT YET ASSIGNED       |             |
| Total Number of Pages in This Submission                                                           | 9                    | Attorney Docket Number | E1975-00029 |

| ENCLOSURES (Check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form<br>(in duplicate)<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input checked="" type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
| Remarks<br>- Copy of Notification of Missing Requirements Under 35 U.S.C. 371<br>in the United States Designated/Elected Office (DO/EO/US), 2pp.;<br>- Combined Declaration and Power of Attorney Executed by<br>1) David J. KYLE; 2) Motil HAREL and John PIECHOCKI, 5pp.                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                                                                                     |          |        |
|--------------|-------------------------------------------------------------------------------------|----------|--------|
| Firm Name    | Duane Morris LLP                                                                    |          |        |
| Signature    |  |          |        |
| Printed name | Stephan P. Gribok                                                                   |          |        |
| Date         | July 5, 2006                                                                        | Reg. No. | 29,643 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |  |      |  |
|-----------------------|--|------|--|
| Signature             |  |      |  |
| Typed or printed name |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DM2\734922.1

**PATENT**

**MAIL STOP MISSING PARTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re  
Appln. of: David J. KYLE et al.

Serial No.: 10/549,730

Filed:

For: Fish and the Production Thereof

Group Art  
Unit: 1761

Conf. No.: 1381

Examiner: NOT YET ASSIGNED

Atty Docket E1975-00029  
No.:

**TRANSMITTAL OF MISSING PARTS OF  
U.S. NATIONAL STAGE PATENT APPLICATION**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United State Designated/Elected Office (DO/EO/US) dated 5 May 2006, the following are submitted herewith:

- ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United State Designated/Elected Office (DO/EO/US).
- ☒ Executed Declaration and Power of Attorney.
- ☒ International Search Report has not been received, and will be transmitted upon receipt.
- ☒ The Commissioner is authorized to charge Deposit Account No. 04-1679 (Billing No. E1975-00029) as noted below.
- ☒ Filing fee and surcharge(s) in the amount of \$65.
- ☒ Any deficiency or overpayment in the fee noted above.

Respectfully submitted,

David J. KYLE et al.

July 5, 2006  
Date

By:

Stephan P. Gribok  
Stephan P. Gribok  
Registration Number 29,643  
Customer Number 08933  
Duane Morris LLP  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103-4196  
Telephone 215-979-1283  
Facsimile 215.979.1020



## UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/549,730                  | David J. Kyle         | E1975-00029      |

08933  
DUANE MORRIS, LLP  
IP DEPARTMENT  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103-4196

DOCKETED

GDC

MAY 11 2006

| INTERNATIONAL APPLICATION NO. |               |
|-------------------------------|---------------|
| PCT/US04/08561                |               |
| LA. FILING DATE               | PRIORITY DATE |
| 03/19/2004                    | 03/19/2003    |

CONFIRMATION NO. 1381

371 FORMALITIES LETTER



\*OC000000018691558\*

Date Mailed: 05/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/19/2005
- Preliminary Amendments filed on 09/19/2005
- Oath or Declaration filed on 09/19/2005
- Request for Immediate Examination filed on 09/19/2005
- U.S. Basic National Fees filed on 09/19/2005
- Priority Documents filed on 09/19/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

Additionally the following defects have been observed:

- The International Search Report has not be supplied, the Search Fee has been adjusted to reflect this omission.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/549,730                  | PCT/US04/08561                | E1975-00029      |